

Exhibit A

E.D.Pa. AO Pro Se 14 (Rev. 01/21) Complaint for Violation of Civil Rights

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

Case No. _____

(to be filled in by the Clerk's Office)

Marcus Rosario

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Warden / prime care "et al".

~~Bucks County Correctional Facility / Prime Care~~

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

The Clerk will not file a civil complaint unless the person seeking relief pays the entire filing fee (currently \$350) and an administrative fee (currently \$52) in advance, or the person applies for and is granted in forma pauperis status pursuant to 28 U.S.C. § 1915. A prisoner who seeks to proceed in forma pauperis must submit to the Clerk (1) a completed affidavit of poverty and (2) a copy of the trust fund account statement for the prisoner for the six month period immediately preceding the filing of the complaint, obtained from and certified as correct by the appropriate official of each prison at which the prisoner is or was confined for the preceding six months. See 28 U.S.C. § 1915(a)(2).

If the Judge enters an order granting a prisoner's application to proceed in forma pauperis, then the order will assess the filing fee (currently \$350) against the prisoner and collect the fee by directing the agency having custody of the prisoner to deduct an initial partial filing fee equal to 20% of the greater of the average monthly deposits to the prison account or the average monthly balance in the prison account for the six-month period immediately preceding the filing of the complaint, as well as monthly installment payments equal to 20% of the preceding month's income credited to the account for each month that the balance of the account exceeds \$10.00, until the entire filing fee has been paid. See 28 U.S.C. § 1915(b). **A prisoner who is granted leave to proceed in forma pauperis is obligated to pay the entire filing fee regardless of the outcome of the proceeding, and is not entitled to the return of any payments made toward the fee.**

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Marcus Rosario
 All other names by which you have been known: Marcos Antonio Rosario /chucky
 ID Number 086221
 Current Institution Bucks county correctional Facility
 Address 1730 South Easton Road
Doylestown PA 18901
 City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Bucks county correctional Facility
 Job or Title (*if known*) Warden
 Shield Number _____
 Employer _____
 Address 1730 South Easton Road
Doylestown PA 18901
 City State Zip Code
☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name Kelly Reid
 Job or Title (*if known*) Superintendent Deputy warden (Inmate services)
 Shield Number _____
 Employer Bucks County Correctional Facility
 Address 1730 South Easton Road
Doylestown PA 18901
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 3

Name Nancy Cruz
 Job or Title (if known) Sergeant
 Shield Number N/A
 Employer 1730 South Easton Road Bucks county correctional facility
 Address 1730 South Easton Road
Doylestown PA 18901
 City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 4

Name Brown
 Job or Title (if known) Lieutenant
 Shield Number N/A
 Employer Bucks county correctional facility
 Address 1730 South Easton Road
Doylestown PA 18901
 City State Zip Code
☒ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Freedom of Religion, violation of info, violation of privacy,

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☒ Other (explain) pro VOP = violation of parole / probation

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

I was deprived of practicing my religion properly while in RHC, and was falsely accused of false accusations (rumors) while my time spent on several block carrying conflict, pain, suffering, by several correctional officers and nurses, my mail was intercepted without cause sometime from March 20 - August 16, my privacy was invaded by jailroom camera (center of jailroom) while sleeping in cell #37 and while using restroom in cell, I was targeted and harassed by officer A. Boyce while on Hotel (Hope program)

C. What date and approximate time did the events giving rise to your claim(s) occur? *from march 20 January from february 16 - August 16 2024 6-2, 2-10, 10-6 shifts.*

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?) *I was banned/deprived from practicing my religion properly, my privacy was invaded by camera on Foxrott, as well as by investigators opening up my mail without caused, and by officer A. boyce on Hotel (Hope program) while using bathroom I was falsely accused/harassed on Foxrott as well as throughout my time spent in bucks on false accusations and rumors spread around by correctional officers and nurses stating that I was a rapist and snitch when I was never accused of, held, or ever convicted of such crimes and or held here currently on top of those charges whatsoever causing conflict between me and them as well as other inmates harassing me causing me such pain and suffering as well as the shift taking money out the accounts for phone calls and giving back in 24 hours (day trading) and not refunding money when the vending machine displays "Network Anomaly"*

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive. *I suffered pain, suffering, harassment, and conflict and discrimination @ nurses station by them singling me out due to and denying me proper care as far as lying to me about blood panel results so that they can reject me for the MAT program*

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims. *I would like the court to investigate all facts stated above and terminate any and all staff who played a part in these false accusations as well as be awarded whatever the court deems seems fit for my punitive damages being as though I've been going through alot, during my whole time as a pre-trial detainee even by those who work for bucks to make sure we are safe and without any harassment or problems. I had to walk around here with a label that was never to be deemed on me and had to deal with inmates harassing me, threatening me on such matters as well as never given my right to properly practice my religion and participate in Ramadan day to word being passed down from superintendent Poppy warden (Kelly Reid) to Sergeant N. Cruz because she felt as though I was playing too many games as I was told she email case manager patterson for RTHU and therefore was not given a Sahour (breakfast) bag in early Am to help me prepare for that days fast as well as me fast the whole time and not being brought a dinner tray in which I brought both matters to N. Cruz, officer Hardiman, Lieutenant Brown, and Ms. patterson and was told that there was nothing they could do, but @ the same time I was told by the Kitchen staff that once I'm placed on the list I'm permanently there for the whole month.*

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Bucks County Correctional Facility

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

Some of the complaints brought to the courts as a civil suit.

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

E. If you did file a grievance:

1. Where did you file the grievance?

on Hotel and RHU

2. What did you claim in your grievance?

All the facts stated

3. What was the result, if any? some grievances I received back denied and other I was never returned those grievances with a response or prior grievances. greensheet

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I am currently in the process of appealing some of these matters now.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: @ first I never filed a grievance on the religion part while in RHO because I've seen where the grievance process was played with and then when I got out I stayed due on cblock and never received it back.

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any: I informed sergeant N. Cruz, Ms. Patterson, officer Hardiman, kitchen staff John Doe, etc.

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. I'm in process of appealing my exhausting admin remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Marcus Rosano

Defendant(s) Bucks county Correctional Facility

2. Court (if federal court, name the district; if state court, name the county and State)

Bucks county Pennsylvania.

3. Docket or index number

212 4-01-017714 Niot

4. Name of Judge assigned to your case

Not sure

5. Approximate date of filing lawsuit

not sure

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition.

not sure

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

the case was dismissed to due me facility to provide for my purposes 6 month account history

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment? NO

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- ☐ Yes
- ☒ No

D. *NA* If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 08-27-24

Signature of Plaintiff

Marcus Rosano

Printed Name of Plaintiff

Marcus Rosano

Prison Identification #

086221

Prison Address

1730 South Easton Road

Doylestown

City

PA

State

18907

Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

Exhibit C

UNITED STATES DISTRICT COURT
for the Eastern District of Pennsylvania

Marcus Rosario, et al.,

Plaintiff[s]

Civil Action

NO. _____

COMPLAINT

Kristin Hill, Prime Care Nurse Supervisor for Bucks
 Matelis?, Warden Pennsylvania Bucks
 County Correctional Facility, Kelly Reid,
 Inmate Services/Superintendent Deputy
 Warden of Bucks County Correctional
 Facility, Katie Harvey, PA/provider of
 Bucks County Correctional Facility, Molly
 ?, PA/provider of Bucks County Correctional
 Facility, et al., individually and in
 their official capacities.
 Defendant[s]
 Nancy Cruz Sargent for
 Bucks County Correctional Facility

I. Jurisdiction & Venue

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of state law, of rights secured by the constitution of the United States. The court has jurisdiction under 28 U.S.C. section 1331 and 1343 (a)(3). Plaintiff Rosario seeks declaratory relief, punitive relief as well as Injunction relief authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of Federal Rules of Civil Procedure.

2. The Eastern District of Pennsylvania is an appropriate venue under 28 U.S.C. section 1341(b)(2) because it is where the events giving rise to this claim occurred.

II. Plaintiffs

3. Plaintiff Marcus Rosario, et al., is and was at all times mentioned herein a prisoner of the State of Pennsylvania in the custody of the Bucks County Correctional Facility of Pennsylvania. He is currently confined in Pennsylvania County Prison of Bucks, PA.

III. Defendants

5. Defendant Matelis? is the warden of Pennsylvania's Bucks County Correctional Facility. He is legally responsible for the operation of Pennsylvania's Bucks County Correctional Facility and for the welfare of all the inmates of that Prison.

6. Defendant Kelly Reid is a Superintendent Deputy Warden, as well as in charge of Inmate Services ~~of~~ of the Pennsylvania Bucks County Correctional Facility who at all times mentioned in this complaint, held the rank of Superintendent Deputy Warden / Inmate Services and was assigned to Pennsylvania's Bucks County Correctional Facility.

7. Defendant Katie Harvey is the PA/provider of PA. Bucks County Correctional Facility and holds the rank just below a doctor, who at all times mentioned in this complaint, held the rank of the PA/provider of Bucks County Correctional Facility at the time of complaint.

8. Molly? Defendant Molly? is also a PA/provider of Bucks County

part D

Exhibit ~~E~~

BC Detective Daniel

FLEISHINGER

Defendants

Bucks County Correctional Facility (Warden)

Kelly Reid, Sgt. BECK

Andrew

provider H. Katie (prime care)

Nancy Cruz Investigator

officer Jamiez

Ms. Patterson Rich FONDE

Hope staff Bob

Lieutenant Brown

nurse Katrina (prime care)

Kitchen staff John Doe Officer Jackson (female)

Officer Dupont

Lieutenant Beck

Officer Dowdy

Case Manager Jess Foxrott

Officer Simpson

Officer V

Officer Devlin

Officer Qubeck

Officer Kempke

Officer Arboough

Officer Leopardi

Palumbo (HOPE supervisor)

Officer Stevenson

Officer Sharp 2-10

Officer Matoj

Officer Devlin 6-2

Officer Grey (female) (new) Officer Brooks

Officer Glenn (RHU) prime care John Doe (male nurse)

Officer Hardiman

Warden

Commissary (Keefe) Ms. Bernadette, Investigator Dan

Administrative secretary RS Jones (wardens office) Onisick

Officer Murdoch

Officer Donelli Bravo 6-2

Mental Health (Jessica)

Officer Howard

Mental Health (Victoria)

Officer Beau Burns

Nurse Linda (prime care)

Officer Kevin South

Nurse Paula (prime care)

at all times, each defendant

Nurse Kristin (prime care) acted under color of State law.

BCCF 1730
South Easton
Road Doylestown
PA 18901

- All For money damages as well part B of F
- violation towards me practicing my religion I'm suing for punitive and injunction damages!
 - For the vending machines and phones ripping us (inmates) off I'm suing for punitive and injunction damages!
 - For all nurses and corrections officers that partook in humiliating, disrespecting, and causing me pain, suffering mentally emotionally, and physically I'm suing for false accusations/rumors as punitive and injunction damages!
 - For palumbo and officer A. Boyce doing as they please, abusing their authority and for the humiliation and disrespect they've caused me I'm suing for punitive and injunction damages!
 - For my privacy being violated by the 40,000 camera in the center of every module I'm suing for punitive and injunction damages!
 - For me being harassed for about 4-5 times within 2 weeks of my cell being shaken down leading to them finding contraband on the last search out of those 4-5 times and I'm suing for punitive and injunction damages!

continued

- correctional facility. She is legally responsible for properly diagnosing inmates as well as responsible to provide the proper medications at Bucks county correctional facility of Pennsylvania.
9. Defendant Kristin Hill is the Nurse supervisor of Bucks county correctional Facility of Pennsylvania. She is responsible to supervise, schedule, watch over all nurse employees as they maintain their full, proper job duties, who held that rank of Nurse Supervisor at the time of complaint of Bucks county correctional Facility of Pennsylvania.
 10. Defendant Nancy Cruz is a Sergeant/supervisor of any and/or all correctional officer during 10-6AM shift. She is responsible for maintaining all correctional officer job duties, as well as scheduling shifts and maintaining her staffs professionalism. who at that time held the rank of Sergeant of Bucks county correctional Facility but isn't no longer employed due to questionable reasons?
 11. Each defendant mentioned above and throughout this complaint is sued individually and in his or her official capacity. At all times mentioned in this complaint, each defendant acted under the color of State Law.

IV. Facts

12. At all times relevant to this case, plaintiff Marcus Rosario was labeled as a serial Rapist since the first day of arrival of January 5, 2024 - current.
13. Since January 5, 2024 plaintiff Marcus Rosario has been marked and falsely accused of being a serial Rapist therefore experiencing being singled out and harassed.
14. From January 5, 2024 - March 20, 2024 plaintiff Rosario was applied for the MAT Program and was called down with another inmate Richard Mackin and had noticed a little paper with his name on it almost hidden under the key board of Linda (Secretary) Desk in dispensary as he began the process to receive MAT followed by a EKG and blood work. Not too long after that he noticed that Richard Mackin along with another inmate that went to get screened for MAT, was retrieving their morning dosage of 8mg subutex to build their tolerance for the 100mg Sublocade shot they had applied for except me due to supposedly having my kidney/liver enzymes elevated in which they wanted Katie Harvey had seen me on Fox trot to deliver the news and chose to have me submit another blood panel and see if the enzymes had went down, in which I never heard from her about the subject @ hand until after I was in RHU.
15. ~~On Mar~~ ^{Two weeks} prior to March 20, 2024 my cell 36 was searched by officer A+R15 for proper mattresses assigned to each cell, followed by me moving to cell 37 and having been cell searched 3 other times by two of the same officer on two separate occasions out of those 3 times resulting in them finding Suboxone strips above the light fixture and 3 Subutex pills in my cell's green hair grease located on the desk of cell 37, therefore being harassed several times without finding anything these prior time until last resulting I am in house case.
16. While in RHU during Ramadan from March 20, 2024 I was experiencing difficulty with receiving a sahoor (breakfast) bugg and or dinner →

BCCF 1736
Southeast
Road
PA 18901

Complaint
Continued

16. Tray after I've been fasting since March 10, 2024 and - wasn't receiving a breakfast or dinner tray on Foxrott street Ramadan started, carrying in to RHC (kate) I had wrote case manager Patterson prior to Ramadan starting and received her response of me being added. So when I decided to ask her why ~~and~~ is my religious right (privilege) being ignored her response was that Kelly Reid had emailed her back stating "No, because I play too many games referring to me not wanting and my right to choose to not speak to investigator Dan without a lawyer present."
17. Sergeant Nancy Cruz who was ranked as Sergeant @ the time the complaint took place, but is no longer employed under Bucks County corrections Facility to the best of my knowledge, chose to carry out Kelly Reid's orders to not allow me to participate in Ramadan which is part of my religion. Leading to her physically delivering only one Sahoor (breakfast) bag to the other inmate Mary located on the first floor on a level watch, so that she made sure I wasn't receiving any bagg after. She was advised that there was time I was delivered a bag from kitchen staff (being on the list) and other times where Officer - Hardiman had to question and speak up on my behalf as to why there was time I'm on the list and receive a bag and other times ~~am~~ not on the list and don't receive a bagg.

18.

So since I been in the (whole) RHC I've been experiencing times where I would receive a Sahoor (breakfast) bagg and dinner tray and times where I wouldn't receive either or, having - brought to Lieutenant Brown, Officer Hardiman, Ms. Patterson's attention. It was told by kitchen staff that Ms. Price overnight shift. that once your on the list it holds you for the whole month, so by Sergeant Nancy Cruz stating that I'm not on the list was - strictly to carry out Kelly Reid's orders to not allow me to - participate in Ramadan for her own reasons.

19. Since arriving on Foxrott and several other blocks, every time I use the phone and is told on the other end that "No calls are allowed @ this time" or I was told "this call was not accepted please try again later" the phone company Vrapath/ETL would deduct the full amount for that call of \$3.66 plus applicable fees - \$4.00 and would be beltered to say trade with - those funds and refund them back within 24 hours or not getting -

through the full call.

20. There are times where me and other inmates would use the Vending machine and would be charged the fee of whatever item we was to attempt to purchase when the machine would display "Network Anomaly" without any merchandise come out or any refund when brought to the officer on shift, when I write matelis (warden) or bring it to Mr. B (commissary/keefee) attention.

21. When I was sent to Hotel module (Hope program) I've experienced a violation and some type of oppression with officer A. Boyce walking up on me with his flashlight pointed on me as I was unbuttoning on one knee per religious purposes and other times where he would abuse his authority and punish the whole block doing as he feels over him and one other individual dispute.

22. there was another time he had walked in on another inmate Yahir 25 cell on toilet sitting down on toilet with the towel up for privacy and proceed to question him as to why he has to give him a hard time.

23. There was a time on 08-30-21 @ approximately 10:Am palumbo was running co-occurring Disorder / safe Bet and decided to bring up a topic on Serial Rapist, directing his vision towards me throughout the class. Also on a separate occasion I came in from yard to End group was started but was bouncing the basketball coming in from yard and palumbo took it upon himself to say "what are you fucking stupid" in front of the whole group displaying anger towards me and showing disrespect all the →

BCCF 1730
South Easton

Road
Boyestown
PA 18901

- continued 22. While being in charge of Anger management class and shouldn't @ all and I feel as though he should be held accountable being the supervisor of the Hope staff.
23. On 09-04-24 officer Sharp who works 2-10 shift on Hotel emptied the mail box where we all as inmates place our mail/request slips and grievances, took it upon himself to share my request slip/with complaint on palumbo to inmate Douglas Mackintire in cell 01 on Hotel module, causing conflict for me within the unit.
24. On 03/31/21 between 11-12 AM the sewage was pouring out of the floors of RTHU, disposing of sewage/feces smell throughout the whole unit, as well as exposing us all to Hepatitis and sickness.
25. There was a time after I was charged and completed being under investigation where I had wrote two loved ones on two separate occasions and it was brought to my attention several months later in my discovery that the investigators took it upon themselves to interfere and open my mail for no reason.
26. To be noted for the record that I was late sending in my grievance due to being ^{denied} free envelopes to send out legal mail that was time sensitive from counselor page (Hotel module case manager) because I had very little funds on my account (Books) and wasn't considered indigent, therefore having to use my last couple of dollars for a pre-postage envelope purchased off commissary instead of personal hygiene.

continued

→ 26. products.

27. To be noted for the record 09-24-24 I had ordered a item and wasn't sent that item on commissary day, having them credit me back for that item, but there was times where other inmates would order a different item (Iced shortbread cookies) and be sent maria cookies as a replacement costing lesser then the original item purchased. I believe (commissary/Keefe) ms. Bor who ever work in the warehouse packaging these bag acted with deliberate indifference and should be held accountable and answer to such allegations.

28. To be noted for the record on 09-24-24 several inmates failed to get dosed their subutex (MAT) in the AM, therefore being brought down to dispensary after count some times around 6-6:15pm by officer ms. Stires to get dosed and one being my cellmate Sean Williams in which he noticed that nurse Paula (in charge of dosing subutex) MAT had dosed him just a little out of his full dose, placing the rest of the pill plastic baggy in a pink trash baggy up top the med cart and it was only then that he opened his mouth to show her how

BCCF 1730
South Boston
Road
Dorchester
MA 01890
m-h

much she shorted him did she admit she made a big mistake realizing how much of the dose was still in the bag leaving the question as to how many others this happened to or as to why she insist on still using those bags as if she's deliberately shortening our dose for personal gain, a hidden addiction, or for financial gain.

29. On 10-05-24 after 12pm tablets were dispersed and when I attempted two calls I was told on the other end no calls are allowed therefore charging me 3.60 twice

Exhibit V Legal Claims

N Religious freedom is a constitutional right protected by the First Amendment and Fourteenth and by several federal statutes.

On March 1. Kelly Reid violated my First Amendment and acted
20, 2024 "Under color of State Law"

from 01-05-24 2. The prison nurses who discriminated against me by singling
- current me out by denying me MAT program @ first under false
pretenses acted Under color of State Law"

3. On around 03-26-24 - 03-28-24 The investigators of Bucks county corrections / Facility violated my First Amendment by opening and interfering with two separate mails going out without any investigation or reason to, in which I found out later on within my discovery for a in house case.

4. I believe that when using the phones with an unsuccessful call while still being charged the full amount for a phone call that wasn't placed and told by the company "no calls are allowed @ this time" or "you hang up before being told your call wasn't answered" Is possibly because they are day trading with those funds for a duration of 24 hours and therefore a violation of my First Amendment.

per letter
BCCP1730
South Boston
Road Doylestown,
PA 18901

5. I believe I've been harassed, discriminated and singled out due to these false accusations/ Rumors going around In Bucks county about me being a serial rapist, when I was never accused or

charged and or ever convicted of such crimes and never will be and I am currently housed on any of these charges but rather a VOP and Inmate in possession of contraband charge.

6. I feel as my ^{procedural} due process right has been violated by the COS putting my life in harms way by marking me as a serial rapist as well as treating me in a way much worse than is normal for a prisoner.
7. My I believe my Fourth Amendment Right to searches was violated because my cell was searched repeatedly 4-5 times within 2 week time without them finding anything all while I was already on presumptive parole and on the fifth time was where there was contraband found and therefore got me a street charge and stopped my presumptive parole.
8. prison official who made lewd sexual comments by calling me a serial rapist under false pretence may have violated the Eighth Amendment because the conduct caused me (plaintiff) severe psychological harm and being labeled that (serial rapist) increased my risk of abuse and assault.
9. I believe that ms.B commissary/keefe as well as the officers on shift has been acting with deliberate indifference by not addressing the problem with the vending machines charging us (inmates) without any merchandise in return when the machine displays "Network Anomaly" and or refunding us @ all or in a reasonable time but yet still lets the issue occur till this very day.

~~10.~~

10. I believe my "right of access to the courts", has been violated because I was late sending in my grievance about the phones and vending machine in the month of September because I was denied free envelopes by the case manager of Hotel module ms. page because I wasn't indignant therefore having to use my last money for a pre-postage envelope through commissary instead of hygiene, therefore possibly putting me @ risk of missing a deadline

11. I'm a pretrial detainee and believe that my privacy under the Fourth Amendment has been violated due to being harassed and shaken down until they found contraband (suboxone strips/pills), therefore leaving me longer to fight those charges after I was granted presumptive parole before those searches took place.

12. I believe that it's a violation of our (inmates in community) privacy when officer Sharp sits in from a far to listen in on our AA/NA groups and chooses to speak on it to us after.

13. I feel as though it isn't right for the officer to take control over the remote so that he can watch sports when they come on, when the dayroom is for our recreation and not for the officers.

→ 14.

BCCF

086-21
1730 South Easton Road
Doylestown, PA 18901

14. I had bring it to the (providers) Molly Attention that Nurse Paula seems to be shortening our dosages (inmate's) MAT, as well as bagging them (dosages) in these clear - plastic little baggies in which some of our dose gets stuck with the cracks/crevicks of the bags in deliberence in a violation of my Eighth Amendment, as well as the (pA)/provider Molly ignoring an obvious and serious danger. I had wrote to the nurse supervisor @ several times with no response/reply back, as well as brought it to several other nurses including Nurse Asia (new) light skin heavy set female, and she agreed that several nurses complained about using these clear baggies instead of the little white cups that are used for our meds or water and till this very day the issue is ignored and still occurs, and I feel as though it's a clear violation of my Eighth Amendments as well as several other inmates throughout the facility.

15. On 09-27-24 @ approximately 12:50 - 1:15 the officer I know as Hagg (new young rookie) recieved a call while I was sitting in wrap up meeting in the HOPE program, from Kelly Relf herself telling him to have me move to Bravo module in the middle of group / a week before I graduated that following Wednesday from this Friday of 09-27-24, due to reasons of her own, so I go get all my program books and hand them over to Jackie? (HOPE staff) so that she can hold and watch over IF I was to come back as I witnessed happen with people who want to ~~leave~~ From Hotel module. I go to pick my belongings and noticed that the Seargent

continued.

→ 15.

who I had wrote up before about acting reckless to another inmates over tablet and who supposedly oversees all tablet replacement and distribution to all blocks, had come to escort me off the block and mostly all the way to Bravo module. Not too long after arriving on Bravo module was my cell searched by two correctional officers one being male and the other a female who I don't have the names @ this time and was known to have found nothing but extra books my new celly in B-30, had in his possession. I believe Kelly Reid (Inmate services/superintendent Deputy warden) had acted "under color of state law" by violating my privacy, continuously harassing me in violation of my Fourth Amendment Right.

16. On Saturday September 8, 2024 @ approximately 9:31 AM on Bravo module officer J. Garlick and Nurse Chris (new MAT handler) - decided to wait until I left their sight and go upstairs from receiving my 24mg dose of Subutex (MAT) to talk about me being a supposedly serial Rapist like all the other officers or nurses do once I'm far enough to where they think I can't hear them. In which they harassing me, embarrassing me, causing me (plaintiff) severe psychological harm and increased my risk of abuse and assault in violation of the Eighth Amendment.

17. On 09-28-24 from 6-2 shift officer Gray (male) was assigned to work Bravo module in which he deliberately chose to not let out any one for recreation including any block workers in which he's been doing on Hotel module every Saturday that he works on 7 block. This has become a routine and is in violation of our constitutional right @ least one hour of recreation within 24 hours.

BCCF 1730
South Eastern
Road
Boyds town
PA 18001
[Signature]

18. On 09-28-24 @ approximately 11:37 AM officer Gray (new rook) denied me from using the vending machine after I just came back from lunch, after he chose to keep us locked in all morning without

18. continued any recreation, phones, or showers. It's been clear knowledge that when he is on shift he chooses to lie to inmates stating that a code was called or there being insufficient officers on shift, to meet his own needs.

19. By any and all Nurses, correctional officers, or staff employed by BCCF, spreading rumors/false accusations of me being a serial rapist clearly violated the Universal Declaration of Human Rights of Articles 5 and Article 1. of cruel or degrading treatment or punishment. And discrimination to equal protection of the law, by them acting upon it.

20. By Kelly Reid interfering with my correspondence in 2022 to my girlfriend Jessica L Herling and putting me in the whole for 5 days on a class II in which doesn't hold any RHU sanction was excessive punishment and a violation of the Universal Declaration of Human Rights of Article 12. in which states "No one shall be subjected to interference with his privacy, family, home, or correspondence."

21. Also all of those who's employed under BCCF and took part in passing around those rumors/false accusations amongst their co-workers and other inmates clearly violated the Universal Declaration of Human Rights of Article 12. Nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

22. By the investigators of BCCF (Bucks county correctional Facility) opening up and interfering with my correspondence to my family without reason clearly violated the Universal Declaration of Human Rights of Article 12. interference or correspondence. - Everyone has the right to the protection of the law against such interference or attacks.

23. In 2022 after coming back from court officer Atepis and officer Keefe was working in Reception, when officer Atepis had attempted to be sarcastic about Plaintiff Roberto wearing two wedding bands and proceeded to ask him to remove one

V. Legal claims

continued 23. of his wedding bands and put them in his property held @ records even with a receipt in return but when my mother Ida Rosario had come to pick up my property in Reception from records, my 25 wedding band was not placed in my property, therefore asking as to was it ever even placed in my personal property held @ records or is someone stealing personal property out of peoples stuff held @ records? Being as though I wasn't the first one to be missing property held @ Records in which violates the universal Declaration of Human Rights of Article. 17.

(2) no one shall be arbitrarily deprived of his property.

24. All of the Defendants that has a star next to their name played a part in humiliating me by passing around false accusations and rumors, and those defendants that has 2 stars next to their name did it on a daily basis, making jokes of the situation @ hand amongst their co-workers and inmates and has caused me tremendous anxiety to where I had to go back on phye. meds, as well as pain suffering, embarrasment, emotional and mental stress, along with increasing the possibility of retaliation and a dangerous environment.

25. On 10-16-24 between the hours of 2:AM - 5AM some nurse had come on R/HU to give out morning meds in which I was given 1 white small oval pill when I normally get a 15 mg boost bar in the shape of a zanax bar and shortly after a female African American heavy set nurse had come to dose me as well as give me my morning meds in which I told her that I was just given

Marcus Rosario 086221

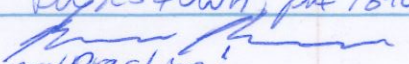
the wrong meds from the previous nurse

BCCF 1730 SEaston Road

not too long before you arrived and her reply was I don't know how, who, or why

Dayles town, PA 18901

because I have your meds here therefore medical malpractice!



V. Legal Claims.

28. Defendant Kelly Reid violated plaintiff Rosarios freedom to practice his religion and or participate in his religion causing his pain, suffering, and emotional distress
29. Defendant Katie Harvey violated plaintiff Rosario by - Singling him out and discriminating against him acting "intercolorstate ^{law}"
30. Defendant who hold the rank of a correctional officer mentioned in one of the Exhibit within this suit violated plaintiff Rosarios Eighth Amendment by passing around false accusations and rumors of him being a serial Rapist by exposing him to an unreasonable risk of serious harm.
31. Defendant palumbo who hold the rank of Hope staff - supervisor violated plaintiff Rosarios Eighth Amendment by exposing him to an unreasonable risk of serious harm when he chose to hold a class referring to a serial Rapist and directing his attention or vision to Plaintiff Rosario.
32. On 10-15-24 officer Toran decided to burn the whole top tier of recreation in the Am right after subs over one individual altercation and later wrote me up over tampering with lock due to the rep he knew me for as the "serial Rapist" therefore discriminating and Singling me out over me compressing my door frame sliding open, resulting in me receiving 30 days RHU with ten days suspended

BCCF 1730

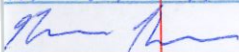
South Easton

Road

Dorchester

MA 01940

Marcus Rosario



VI. Prayer for Relief

Wherefore, plaintiff respectfully pray that this court judgment:

- 2a. Granting plaintiff Rosario a declaration that the acts and omissions described herein violate his right under the constitution and laws of the United States, and
30. A preliminary and permanent injunction ordering all defendants who took part in passing around false rumors/accusations to cease such action against plaintiff Rosario ~~and~~ jointly and severally.
31. Granting plaintiff Rosario compensatory damage ~~in the amount your honor~~ and the people deem fit. Plaintiff Rosario seeks damages from ~~any defendants~~ who aren't protected under immunity to pay punitive damages
32. Both plaintiffs seek nominal damages and punitive damages in the amount your honor ~~and the people~~ see fit. Plaintiff Rosario seeks these damages against each defendant, jointly and severally. Plaintiff Williams seek damages only against Ms. B (Commissary/Keeper) and Warden Matelis for the issue with the phone and vending machines only.
33. Plaintiff also seek a jury trial on all issues triable by jury.
34. Plaintiff also seek recovery of their costs in this suit, and
35. Any additional relief this court deems just, proper, and equitable

Dated: September 27, 2024.

Respectfully submitted, Marcus Rosario

#086221
Bucks County Correctional Facility
1730 South Easton Road

Doylestown, PA 18901

Verification

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct. Executed at Doylestown →

pennsylvania on september 27, 2024

Marcos Rosario

Marcos Rosario

35. On 10-05-24 supposedly the jail was short staff therefore leaving us locked in without any recreation, now to my knowledge I believe by law or by the jail's policy we as inmate are allowed at least 1 hour of recreation, phone, shower, in a maximum secure prison and I believe its a violation of our constitutional Rights therefore I'm requesting an Injunction and punitive relief.
36. On 10-05-24 @ 12:07, and 12:23 I was charged \$4.00 twice for those calls that told me "no calls are allowed @ this time" leaving me having to wait until 9:00pm to be reimbursed some of those funds. Also on 10-06-24 @ 10:24 AM I was charged \$4.00 when I was told "No calls are allowed @ this time" therefore deducting funds for no successful phone call, leaving me to ask for an Injunction of the jail possibly "day trading" with those funds and punitive relief of me having to deal with that issue continuously throughout my time as a pre-trial detainee, without any resolution after several attempts of bringing it to staff and or Administrations attention.
37. Every time I was sent to RHU I never recieved a phone call to my loved ones and on 10-18-24 before 12pm SRT (Search Restraint team) came to search RHU and sent all of us to the Dog Cages (RHU yard) while they conducted their search and when I came back to my cell 118 all of my property was gone and after bringing it to sergeant Cruz and officer C. Nasife or C. Nafise my belongings was brought back to me legal mail, hygiene, and all except for my commissary that was opened and already searched of two full New bags of coffee and a bag of creamer in which I believe the RHU block worker hid and kept for himself as he proceeded to clean RHU behind the SRT Team.

Marcus Rosner
1730 South Easton Road
Doylestown, PA 18901



To: U.S. District Court, Eastern District of Pennsylvania
601 Market Street Room 2609
Philadelphia, PA 19106-1797



Legal Mail

U.S. M.S.
X-RAY

